

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VINCENT L. BASS JR.,

Defendant.

4:21CR3104

ORDER

Defense counsel has moved to withdraw because Defendant is not satisfied with counsel's representation. (Filing No. 33). Defendant is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS ORDERED:

- 1) Defense counsel's motion to appoint new counsel, (Filing No. 33), is granted. Toni Leija-Wilson is hereby withdrawn as counsel, and she shall promptly notify Defendant of the entry of this order.
- 2) The clerk shall delete Toni Leija-Wilson from any future ECF notifications.
- 3) Tregg Lunn is appointed to represent the defendant, and he shall promptly enter his appearance on Defendant's behalf. The court thanks Mr. Lunn for his willingness to accept this appointment.
- 4) The defendant is reminded that although a criminal defendant has the right to counsel, that right can be forfeited by a defendant's offensive words and actions. See e.g., United States v. Thomas, 220 F. Supp. 2d 430 (W.D. Pa. 2002), aff'd, 357 F.3d 357 (3d Cir. 2004). Defendant is cautioned that if he uses hostile, accusatory, and/or foul language during communications with his attorney, the attorney is permitted to cease the communication immediately and may move on to other matters, without revisiting or accepting the defendant's call for a few days thereafter. And defense counsel need not accept calls or instructions from Defendant's family members and friends, particularly where those calls are accusatory and offensive.
- 5) The clerk shall forward this memorandum and order to the Federal Public Defender, and to the defendant, Vincent L. Bass, Jr.

November 5, 2021.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge